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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,333	12/06/2000	Roger D. Pirkey	10942/269227	1489

7590 07/29/2004

PILLSBURY WITHROP LLP
1600 Tysons Boulevard
Intellectual Property Department
McLean, VA 22102

EXAMINER

FIELDS, COURTNEY D

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 07/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,333

Applicant(s)

PIRKEY ET AL.

Examiner

Courtney D. Fields

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

((b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Rosenthal et al. (U.S. Patent No. 5, 737, 701).

Referring to claims 1 and 16, Rosenthal et al. discloses a method and apparatus for providing access to resources with the use of personal information numbers comprising the steps of receiving a request from a subscriber to access a resource, providing access if the resource is included in a list associated with the subscriber, requiring the subscriber to input a personal identification number if the resource is not included in the list associated with the subscriber and providing access if the subscriber inputs the correct personal identification number in Column 5, lines 35-67, Column 6, lines 1-38, 63-67, Column 7, lines 1-9.

As per claims 2 and 17, Rosenthal et al. discloses the claimed limitation wherein comprising the step of adding the resource to the list associated with the subscriber if the subscriber inputs the correct personal identification number in Column 7, lines 10-22.

As per claims 3,10,18, and 25, Rosenthal et al. discloses the claimed limitation wherein comprising the step of providing access if the resource is included in an always allow list in Column 7, lines 64-67, Column 8, lines 1-14.

As per claims 4,11,19, and 26, Rosenthal et al. discloses the claimed limitation wherein comprising the step of denying access if the resource is included in an always deny list in Column 7, lines 23-32.

As per claims 5,12,20, and 27, Rosenthal et al. discloses the claimed limitation wherein comprising the step of requiring the subscriber to input a personal identification number if the resource is included in an always require PIN list in Column 7, lines 57-64.

As per claims 6,13,21, and 28, Rosenthal et al. discloses the claimed limitation wherein the resource is a telephone connection to a destination phone number in Column 6, lines 5-9.

As per claims 7,14,22, and 29, Rosenthal et al. discloses the claimed limitation wherein the request is received from a mobile or cellular phone in Column 4, lines 30-46.

As per claims 8,15,23, and 30, Rosenthal et al. discloses the claimed limitation wherein the subscriber requests the resource using one of a credit, debit, and calling card in Column 4, lines 15-29.

As per claims 9 and 24, Rosenthal et al. discloses a method and apparatus for providing access to resources with the use of personal information numbers comprising the steps of maintaining a list of resources accessed by a user, allowing the user to access resources included in the list, requiring the user to enter a personal identification number to access a further resource not included in the list and adding the further

resource that the user accesses using the personal identification number to the list in Column 7, lines 34-67, Column 8, lines 1-67, Column 9, lines 1-5.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ahvenainen (U.S. Patent No. 6,199,161) discloses a method and mobile communication system for managing authentication keys.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 703-305-8293. The examiner can normally be reached on Mon - Wed. 6:00 - 6:00 pm; Thur. 6:00 - 10 am.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 703-306-3036. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 09/732,333

Page 5

Art Unit: 2137

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July 22, 2004

Matthew D. Smithers
MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137